

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT CALIFORNIA

✓ CR M-306 WHA
CR080222 WKA

UNITED STATES
vs

FILED

Hon. William Alsup

LUKE BRUGNARA
Defendant

JUL 21 2014

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MOTION TO APPOINT
NEW COUNSEL FOR
DEFENDANT

Defendant, Luke Brugnara, requests that this Court immediately appoint new counsel to represent him in this instant action and new charge.

Brugnara notified the Court by declaration, Sunday June 6th, 2014, that appointed counsel Erik Babcock had absolutely no (zero) communication, telephonically or in person, with Brugnara despite Brugnara calling him several times, as well as Brugnara's wife calling him ^{numerous} times and Brugnara's attorney Bob Kane (civil) calling him numerous times - without any reply. These calls implored Babcock to meet with Brugnara to prepare a bail motion and prepare and confer for the trial in a few weeks.

On Monday, June 7th, 2014, Judge Alsup issued an order for Babcock to contact Brugnara regarding the bail motion. (EXHIBIT "A") (SATURDAY)

As of today, June 12, 2014, Babcock has still not contacted Brugnara despite the Judge Alsup order. (EXHIBIT "A") Ethically, from a professional standpoint, this is unconscionable, as Brugnara is entitled to competent, zealous representation. Urgency of dialogue is equally important with a trial date in a few weeks and Brugnara in jail.

Babcock has compromised Brugnara's defense in the trial and bail motion by refusing to communicate

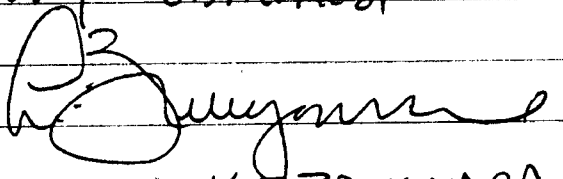
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with Brugnara, even AFTER Judge Alsup ordered him to contact Brugnara.

This is further reason to grant reasonable bail to Brugnara; so he can interview and engage private counsel in this complex white collar case. Brugnara's defense in this matter, which he proclaims vehemently his innocence, is unfairly impeded by restricting his right to interview and hire zealous private counsel. It is clear that Babcock, who refused to meet and confer with Brugnara for weeks (with a trial, a complex trial, in a few weeks) after a Judge's order to do so, is neither zealous nor interested in Brugnara's defense.

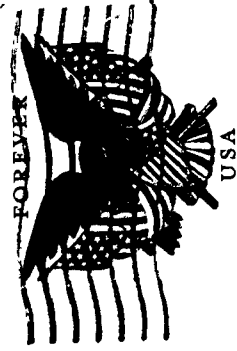
and the reasons set forth in the bail motion, For these ~~very~~ reasons, Brugnara requests reasonable bail to hire zealous private counsel for his defense in this complex white collar case, and for the Court to appoint new counsel in the interim.

Respectfully submitted


LUKE BRUGNARA

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2/21/14
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